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OFFICE OF PETITIONS

In re Application of :
Xiao Tong et al : DECISION GRANTING RENEWED
Application No. 09/938,391 : PETITION UNDER 37 CFR 1.137(b)
Filed: August 24, 2001 :
Attorney Docket No. 3153.0034/PC10790A :
:

This is a decision on the renewed petition under 37 CFR 1.137(b), filed by facsimile transmission on October 4, 2002, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Application (Notice) mailed October 18., 2001. The Notice set a period for reply of two (2) months from the mail date of the Notice to submit an executed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the application number and filing date, and a \$130 surcharge fee for its late filing. No reply or timely extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on December 19, 2001.

The declaration submitted on October 4, 2002 has been found to be acceptable and has been made of record in the application file. All requirements for a grantable petition under 37 CFR 1.137(b) have now been satisfied.

This application is being forwarded to the Office of Initial Patent Examination to complete processing of the application.

Frances Hicks
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